

Thank you for your consideration of this matter.

Sincerely,

JOE BACA,
Congressman.

PERSONAL EXPLANATION

HON. JOHN BARROW

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mr. BARROW. Mr. Speaker, on rollcall No. 3, I was unable to cast my vote on January 3, 2005. The pager provided to me by House Administration, to notify me of votes, was defective. Consequently, I did not receive the announcement that the vote was taking place in time to cast my vote on the House Floor. Had I been present, I would have voted "nay."

ABUSES IN PEDIATRIC HIV DRUG TRIALS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mr. RANGEL. Mr. Speaker, a November 30, 2004 report by the BBC shed light on a disturbing issue regarding an often-overlooked population. The report detailed what it argued was the excessive, and potentially illegal, use of experimental drugs on HIV positive orphans and foster children under the supervision of New York City's Administration of Children's Services.

The report argues that these children, the majority of whom come from minority backgrounds, were forced to take experimental HIV medications, which caused painful and debilitating side effects. It further alleges that the drugs were given without the consent of the children's relatives or guardians. Those guardians who became aware of the drug regime were forced to consent, or risk losing the children to child welfare authorities.

Standards for the administration of drug trials on children should be followed at all times. The fact that these children are wards of the state does not preclude accepted standards and regulations from being followed.

The accusations in the BBC report are indeed troubling, and necessitate a fuller examination by governmental authorities. As such, I find it appropriate for the Congress to look into the excessive use of experimental drug therapies on children, especially the most vulnerable. It is my hope that such an examination would commence as soon as possible after the start of the 109th Congress.

The greatest blessing afforded to a nation is the health and well being of its children. We must ensure that these blessings extend to all children, especially those without homes and families of their own. On this point I know my colleagues are in agreement, so I am confident that action will be taken on this important issue.

[From the BBC NEWS, Nov. 30, 2005]

NEW YORK'S HIV EXPERIMENT
(BY JAMIE DORAN)

HIV positive children and their loved ones have few rights if they choose to battle with social work authorities in New York City.

Jacklyn Hoerger's job was to treat children with HIV at a New York children's home.

But nobody had told her that the drugs she was administering were experimental and highly toxic.

"We were told that if they were vomiting, if they lost their ability to walk, if they were having diarrhea, if they were dying, then all of this was because of their HIV infection."

In fact it was the drugs that were making the children ill and the children had been enrolled on the secret trials without their relatives' or guardians' knowledge.

As Jacklyn would later discover, those who tried to take the children off the drugs risked losing them into care.

The BBC asked the Alliance for Human Research Protection about their view on the drug trials.

Spokesperson Vera Sherav said: "They tested these highly experimental drugs. Why didn't they provide the children with the current best treatment? That's the question we have."

"Why did they expose them to risk and pain, when they were helpless?"

"Would they have done those experiments with their own children? I doubt it."

POWER AND AUTHORITY

When I first heard the story of the "guinea pig kids", I instinctively refused to believe that it could be happening in any civilized country, particularly the United States, where the propensity for legal action normally ensures a high level of protection.

But that, as I was to discover, was central to the choice of location and subjects, because to be free in New York City, you need money.

Over 23,000 of the city's children are either in foster care or independent homes run mostly by religious organisations on behalf of the local authorities and almost 99% are black or hispanic.

Some of these kids come from "crack" mothers and have been infected with the HIV virus. For over a decade, this became the target group for experimentation involving cocktails of toxic drugs.

Central to this story is the city's child welfare department, the Administration for Children's Services (ACS).

The ACS, as it is known, was granted far-reaching powers in the 1990s by then-Republican Mayor Rudi Giuliani, after a particularly horrific child killing.

Within the shortest of periods, literally thousands of children were being rounded up and placed in foster care.

"They're essentially out of control," said family lawyer David Lansner. "I've had many ACS case workers tell me: 'We're ACS, we can do whatever we want' and they usually get away with it."

Having taken children into care, the ACS was now, effectively, their parent and could do just about anything it wished with them.

'SERIOUS SIDE-EFFECTS'

One of the homes to which HIV positive children were taken was the Incarnation Children's Center, a large, expensively refurbished red-bricked building set back from the sidewalk in a busy Harlem street.

It is owned by the Catholic church and when we attempted to talk to officials at Incarnation we were referred to an equally expensive Manhattan public relations company, which then refused to comment on activities within the home.

Hardly surprising, when we already knew that highly controversial and secretive drug experiments had been conducted on orphans and foster children as young as three months old.

We asked Dr. David Rasnick, visiting scholar at the University of Berkeley, for his opinion on some of the experiments.

He said: "We're talking about serious, serious side-effects. These children are going to be absolutely miserable. They're going to have cramps, diarrhea and their joints are going to swell up. They're, going to roll around the ground and you can't touch them."

He went on to describe some of the drugs—supplied by major drug manufacturers including Glaxo SmithKline—as "lethal".

When approached by the BBC, Glaxo SmithKline said such trials must have stringent standards and be conducted strictly in accordance with local regulations.

BATTLE OF WILLS

At Incarnation, if a child refused to take the medicines offered, he or she was force-fed through a peg-tube inserted into the stomach.

Critics of the trials say children should have been volunteered to test drugs by their parents.

When Jacklyn Hoerger later fostered two children from the home where she used to work with a view to adopting them, she discovered just how powerful the ACS was.

"It was a Saturday morning and they had come a few times unannounced," she said. "So when I opened the door I invited them in and they said that this wasn't a happy visit. At that point they told me that they were taking the children away. I was in shock."

Jacklyn, a trained paediatric nurse, had taken the fatal step of taking the children off the drugs, which had resulted in an immediate boost to their health and happiness.

As a result she was branded a child abuser in court. She has not been allowed to see the children since.

In the film Guinea Pig Kids, we follow Jacklyn's story and that of other parents or guardians who fear for the lives of their loved ones.

We talk to a child who spent years on drugs programmes which made them and their friends ill, and we discover that Incarnation is not an isolated case. The experiments continue to be carried out on the poor children of New York City.

TRIBUTE TO MS. THELMA STINSON, PRINCIPAL OF LILLIE C. EVANS ELEMENTARY SCHOOL

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mr. MEEK of Florida. Mr. Speaker, I rise to pay this tribute to Ms. Thelma Stinson, Principal of Lillie C. Evans Elementary School located in Miami's Liberty City area of my district. This honor is richly deserved, for Ms. Stinson has truly made a huge contribution to our community and a huge difference in the lives of hundreds of youngsters.

Upon the leadership of Ms. Stinson, Lillie C. Evans Elementary School proudly rose from an F-graded school in 2001–2002 to an A-graded school in 2003–2004. She took the helm of this school in 1999, and through personal touch and professional acumen defined by a no-nonsense approach, Ms. Stinson was able to put together a marvelous staff and a well-motivated support system composed of paraprofessionals, parents and community leaders. At the same time, however, I am cognizant of the countless hours of meeting and lesson planning that have exacted nothing but the noblest of her efforts.

I want to applaud Ms. Stinson for having proven to us that, regardless of background or

socio-economic class, every child can learn and can succeed, given dedicated teachers, able and supportive administrators, and a manageable class-size that affords teachers the opportunity to devote more time to diagnose each student's individual learning needs and problems and, thereby, enable them to teach each child accordingly.

I believe strongly in solid classroom management . . . if the class is not under control, the teacher cannot teach," was her honest answer when asked recently about her secret of success.

Above all, however, I am particularly pleased that Ms. Stinson seized the challenge of putting an inner-city school in my district in the highest ranking of achievement in the Miami-Dade County Public Schools, the fourth largest school system in the nation. While teaching and learning continue within the halls of Lillie C. Evans Elementary School under the auspices of its dedicated and highly motivated faculty, Ms. Stinson has reached out to the community by ensuring that the parents are also schooled in the basic skills of reading, math and the sciences through regular sessions at night. Simply put, Ms. Stinson has literally bridged the gap between her school and her students' homes, making parental involvement an essential part of the teaching and learning process.

In spite of the odds, Ms. Stinson has truly demonstrated to all those called upon by public service that excellence and achievement are never beyond the reach of those willing to make the sacrifice and dare the impossible on behalf of tomorrow's leaders. This recognition truly honors her leadership and defines the nobility of her profession as an educator. I extend to her my heartfelt gratitude for a job superbly done and wish her all the best in her future endeavors.

RECOGNIZING BRETT AGEE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brett Agee of Liberty, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and in earning the most prestigious award of Eagle Scout.

Brett has been very active with his troop, participating in many scout activities. Over the years that Brett has been involved with scouting, he has held numerous leadership positions, serving as Assistant Patrol Leader, Patrol Leader on two occasions, Librarian, Quartermaster, Chaplain Aide, Senior Patrol Leader, Troop Guide, and Instructor. Brett has earned 31 merit badges, the 12 Month Camper Award, the 100 Nights Camper Award, and the religious award: Ad Altare Dei. Brett is an Ordeal Member of the Order of the Arrow and a Firebuilder in the Tribe of Mic-O-Say. His Tribal Name is Swift White Tail Buck Standing in Clover.

For his Eagle Scout project, Brett led a group of Boy Scouts that built room dividers for use at the Earnest Shepherd Youth Center in Liberty.

Mr. Speaker, I ask you to join me in commending Brett Agee for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING KYLER PAUL MARES

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mrs. MUSGRAVE. Mr. Speaker, today I rise to honor the memory of Kyler Paul Mares. He was born on December 27, 1995 to Greg and Verna Mares of Brush, Colorado.

The Mares had three children before Kyler was born: Jessica in 1989, Krista in 1991, and Gregory in 1994. Later, his parents would come to realize that Kyler was truly, "Heaven's Very Special Child."

Soon after Kyler's birth, his parents were told he needed to be tested to determine if his small head size was normal. It was determined to be abnormal and after more tests it was evident that Kyler had Cerebral Palsy.

As Kyler got older and bigger his parents were told he had an extreme case of Cerebral Palsy. It was difficult for his family as they came to realize that he would never communicate or be able to walk like a normal child. As he grew, they saw him endure many needles, many surgeries, and multiple broken bones.

But through all of this pain, Kyler was a happy baby; he never fussed and gave big smiles to his mommy, daddy, sisters and brothers.

Kyler's parents surrounded him with love and care and rose to the enormous challenges of raising a child with severe disabilities, and three other children.

His parents both worked full time to make ends meet and to provide health insurance for their family. His mother worked nights because they had no one to care for Kyler during the day. His parents never chose to put him in an institution even though it would have been much easier on them financially.

On the evening of September 1, 2004 Kyler's precious life ended. He was loved and adored by his family and they were told after his death and autopsy he should have only lived one day, instead he lived 8 and a half years.

They cherish those years and know that Kyler enriched their lives in so many ways. In God's infinite wisdom, he chose this special child for the Mares family.

They would be the first to say that they would not trade the experience for anything and they cherish every moment they had with Kyler. He was blessed to be born into this family and they were blessed to have him for 8½ years.

Sometimes things in life would not be chosen by us, but God who always knows best gives us a beautiful gift that would have been passed over. Kyler Paul Mares was a beautiful gift from God and he will forever live in the hearts of his family and friends.

We remember Kyler today and acknowledge that all children are precious and that scripture reveals to us that Jesus said, "If you've done it to the least of these, you've done it unto me."

Kyler was truly one of "the least of these." He will never be forgotten.

RECOGNIZING PATRICK NOVAK FOR BEING HONORED WITH THE CONGRESSIONAL AWARD GOLD MEDAL

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Patrick Novak of Carbondale, Illinois, for receiving the Congressional Gold Medal.

The Congressional Award Program, established in 1979, recognizes initiative, achievement and service in young people. It began as a bipartisan effort in both the United States Senate and the House of Representatives. The program recognizes community service, achievement, and personal development. The Award builds confidence and self-esteem in countless young people as they grow into productive citizens in all walks of life. The program is considered America's award for the youth of our country.

The Congressional Award Gold Medal has been presented to Patrick for his service to others. He earned the Gold Medal while serving active duty in the United States Air Force. While stationed at Kadena Air Force Base, Japan, Patrick volunteered with the 18th Services Squadron. His work in the squadron as an "Ambassador" allowed Patrick to raise funds for Okinawa's Misata Children's Home. I applaud his hard work and dedication.

Mr. Speaker, I ask my colleagues to join me in recognizing the contributions of Patrick Novak who has received the Congressional Award Gold Medal. The outstanding work done by this dedicated young man has been truly influential in not only his community but to the people of Okinawa, Japan and I congratulate him as he is recognized among the Nation's most outstanding young people.

RECOGNIZING JUMBO'S RES- TAURANT IN MIAMI, FLORIDA ON ITS 50TH ANNIVERSARY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 6, 2005

Mr. MEEK of Florida. Mr. Speaker, I rise proudly to pay this tribute to Jumbo's Restaurant, a legendary business establishment in Miami's Liberty City community. On Saturday, January 8, 2005, it will celebrate its Golden Anniversary.

This place is more than just a restaurant located along the corridor of Seventh Avenue by 75th St. in Miami. It has been and continues to be the "gathering place" where both celebrities and ordinary folks come and congregate—and partake of the sumptuous meals that this storied establishment serves its faithful clientele. Since its inception 50 years ago, Jumbo's Restaurant has provided the magnificent backdrop of the struggles and triumphs of an inner-city trying to rise from the ashes of